MUNICIPAL REFERENCE
APR 16 1984
TCN-0368

REVIEW OF THE METROPOLITAN TORONTO AND REGION CONSERVATION AUTHORITY

FEBRUARY, 1984

the metropolitan toronto and region conservation authority
5 shoreham drive · downsview ontario m3n 1s4 (416) 661-6600

TOR
352
.94232097
R265

METROPOLITAN
TORONTO
CENTRAL
LIBRARY
Municipal Reference

REVIEW OF THE METROPOLITAN TORONTO AND REGION CONSERVATION AUTHORITY

February, 1984

REVIEW OF THE METROPOLITAN TORONTO AND REGION CONSERVATION AUTHORITY

CONTENTS

		PAGE
LETTER OF TRANSMITTAL		
SUMMARY OF RECOMMENDATIONS		1-10
REPORT OF THE REVIEW		11-84
1.	Brief History of the Authority	11-26
A	Origins of the Authority	11-14
B	Plans and Programs	14-16
C	The Watershed Plan	16-23
D	Provincial Priorities for Conservation	24-25
E	Conclusions	25-26
2.	Mandate and Role of the MTRCA	27-39
A	Important Previous Reports	27-29
B	The Question of Boundaries	30-31
C	Legislative Mandate	32-34
D	Discussion of Mandate and Role	34-36
E	Conclusions	36-39

3.	Authority Board Structure and Relationships		40-60
	A	Reduced Size of the Authority	43-46
	B	All Elected Members	47-49
	C	Committees of the Authority	50-51
	D	Composition and Powers of the Executive Committee	51-54
	E	Standing Committees	54-56
	F	Advisory Committee	56-58
	G	The MTRCA Foundation	58-59
	H	Organization Structure	59-60
4.	Financial Issues		61-81
	A	Sources of Funds	61-63
	B	Expenditures	64-65
	C	Provincial versus Municipal Funding	65-67
	D	Unmet Municipal Needs	68-69
	E	Sharing of Recreation and Heritage Costs	69-70
	F	Alternative Financial Arrangements	70-75
	G	Financing the Future	75-81
5.	Implementation of Changes to Authority Structure		82-84
	A	Changing Authority Membership	82-83
	B	Committee Structure Changes	83-84

The Municipality of
Metropolitan Toronto

Chief Administrative Officer's Department
City Hall, Toronto, Ontario, Canada M5H 2N1
Telephone: (416) 947-8681
Telex: 06-23472

February 27, 1984

To: Chairman, Metropolitan Toronto and Region Conservation Authority
Chairman of the Regional Municipality of Peel
Chairman of the Regional Municipality of York
Chairman of the Regional Municipality of Durham
Metropolitan Toronto Chairman

From: Chief Administrative Officer, Metropolitan Toronto

Re: **Review of the Metropolitan Toronto Region Conservation Authority**

1. Background of the Review

On June 17, 1983, the Metropolitan Toronto and Region Conservation Authority approved a recommendation from the Authority's Executive Committee that a review of the Authority's organization and mandate be undertaken. The resolution approved by the Authority was as follows:

> "Whereas the Executive Committee has given consideration to the work of the Authority and its relationship with its member municipalities and the Province of Ontario.
>
> And whereas it is essential that there be strong agreement among the Authority, its member municipalities and the Province of Ontario on the direction in which the Authority is proceeding.

> Be it resolved that the Executive Committee recommend to the Authority that a review of the Authority's mandate and organization be undertaken and in this connection that the following action be taken.
>
> That the Chairman and Vice-Chairman consult with the Minister of Natural Resources and the Chairmen of the Municipality of Metropolitan Toronto and the Regional Municipalities of York, Peel and Durham on the terms of reference for the review, the constitution and function of a Steering Committee for the review."

A Policy Steering Committee was subsequently established consisting of the Chairman and Vice Chairman of the Authority, the Metropolitan Chairman, the Chairmen of the Regions of Peel, York and Durham, and a member-at-large of the Authority, Mr. E. Fulton.

The Policy Committee's first task was to establish appropriate terms of reference for the review and these are outlined on Schedule "A" attached to this report.

2. Method of Study

The study was conducted largely by Metropolitan Toronto's staff under the direction of the Chief Administrative Officer in close consultation with staff of the Authority. Guiding the work of the Metro staff was a Project Steering Committee comprised of the writer, the Chief Administrative Officers of the Regions of Peel and Durham, the Acting General Manager of the Authority, the Commissioner of Planning for the Region of York, the Assistant Deputy Minister of Natural Resources, Metro's Commissioner of Management Services and the Metro Director of Operational Support.

This Project Steering Committee guided the study and reviewed all draft documents, including the implications of various alternative structures, roles and funding formulae for the Authority.

3. **Scope of the Review**

The review involved extensive consultations with members and staff of the Authority, the Ministry of Natural Resources, various Departments of Metro and the Regional municipalities and some organizations such as school boards which make use of Authority programs. These consultations provided a major source of information required for the review. In addition, legislation governing the activities of the Authority and documentation concerning its policies and procedures were examined, as well as data regarding the finances of the Authority. All recent reviews which have been undertaken with respect to the roles of Conservation Authorities were also analysed.

4. It is important to note this is a staff report which at this time has not been approved formally by the MTRCA, any Regional government, the Metropolitan government or the Ministry of Natural Resources. However, it is equally important to note it is a consensus document, which the Policy Steering Committee mentioned above and the Regional and Metropolitan Chairmen have discussed. The Past Chairman of the Conservation Authority was in general agreement and her position is more specifically detailed in a letter which is attached hereto and marked Schedule "B".

5. This report addresses the mandate, role, structure and financing of the Authority. The review of the administration of the Authority required by the terms of reference cannot be concluded until a final position is taken by all interested parties on these matters. However, work is proceeding on the administration review and its findings will be documented in a report to the Authority upon which action can be taken following the decisions made on this report.

6. As a matter of process, this report is being released simultaneously to the Authority, Regional governments, the Metropolitan government and

the Ministry of Natural Resources. On behalf of the staff group which organized this report, the writer will be available on request to explain to any Council or the MTRCA any detail necessary.

7. One final point. Despite the fact that the interests of all parties affected by the study were not identical, it is to the credit of the participants in this review that a consensus was reached. Special thanks and recognition must be given to the staff participants at the Province, in the Regional governments and in Metropolitan Toronto for without their help this report would not have been possible.

J. P. Kruger
Chief Administrative Officer

att:

c.c. Minister of Natural Resources

SCHEDULE "A"

Terms of Reference

- To review the mandate of the Authority in relation to its constituent municipalities, the Province of Ontario, and other Conservation Authorities where appropriate.

- To review the role of the Authority in regard to flood control, erosion control, conservation services, storm water management, heritage conservation, waterfront development, watershed recreation, information and education, within the presently defined MTRCA jurisdictional area.

- To review the composition and authority of the Executive Committee and its relationship to the Authority at large and to examine the relationship between the size of the Authority and the opportunity for members to contribute.

- To review the capacity of the administration to respond to the present mandate of the Authority and any changes contemplated and to examine the administration's relationships to the Authority, the Executive Committee, staff of the Province and constituent municipalities.

- To examine the effectiveness of the staff organization structure in fulfilling the roles of the Authority and any changes contemplated in the future.

- To present options and make appropriate recommendations relating to the above reviews.

SCHEDULE B

the metropolitan toronto and region conservation authority
5 shoreham drive • downsview ontario m3n 1s4

THE MUNICIPALITY OF METROPOLITAN TORONTO
RECEIVED
NOV 14 1983
Chief Administrative Officer's Department

Office of the Chairman

1983.11.08.

To: Mr. P.V. Godfrey, Chairman
The Municipality of
Metropolitan Toronto

Mr. B. Forhan, Chairman
The Regional Municipality
of York

Mr. R.F. Bean, Chairman
The Regional Municipality
of Peel

Mr. G. Herrema, Chairman
The Regional Municipality
of Durham

Mr. E.V. Kolb, Vice-Chairman
The Metropolitan Toronto and
Region Conservation
Authority

Mr. E. Fulton, Chairman
Waterfront Advisory Board
The Metropolitan Toronto
and Region Conservation
Authority

Dear Sir:

Re: M.T.R.C.A. - Review of Organization and Mandate
November 1, 1983 - Draft Report

I have now had an opportunity to review the draft of the above noted report as prepared by staff following our meeting held October 26, 1983, and I believe it accurately reflects the instruction we gave. There are a few matters which still trouble me and I ask your support in my recommended resolution of them.

(1) Membership from Adjala and Mono

Under the Conservation Authorities Act these municipalities are entitled to a representative. The proposed action in the report (having a provincial member represent them) will require an amendment to the Act, and even if this is possible, it will be cumbersome.

I recommend that we seek the cooperation of Peel, Adjala and Mono and employ Section 8 of the Act which enables grouping of municipalities. One of the five members allocated to Peel could represent Adjala and Mono.

...../2

(2) The Makeup of the Executive Committee

The present recommendations call for three members representing the Regional municipalities, three representing Metro and one representing the Province, and a Chairman. Rules of election ensuring this balance will have to be devised if the Authority wishes to have its Vice-Chairman, and their Standing Committee Chairmen on its Executive Committee.

This is cumbersome and unsatisfactory. I recommend an Executive composed as follows:

Chairman
Vice-Chairman
Four members representing Region and Metropolitan governments
Three Standing Committee Chairmen

for a total of nine. If the Province exercises its right under the Conservation Authorities Act and appoints a member to the Executive Committee the total would be ten. I would point out that under the present system, with no rules guaranteeing any municipality an Executive seat, Metro representatives occupy seven of eleven seats. To my knowledge they have never held less than half.

(3) Executive Powers

I think that the description of powers of the Executive Committee will be improved with the following inclusions:

- recommends to the Authority, hiring and firing of all senior officials as determined by the Authority and the establishment of control standards;

- an Executive Committee member opens tenders. The Executive Committee ensures tendering procedures are followed and recommends the award of contracts over $50,000 to the Authority.

(4) The Metropolitan Toronto and Region Conservation Foundation

The recommendation dealing with the Foundation be deleted and replaced by:

> The final version of the Review Report contain a statement setting out the relationship between the Authority and The Metropolitan Toronto and Region Conservation Foundation.

...../3

I have very much appreciated all the work and thought that has been given to the Review of the Authority to this point, and I believe that the recommendations to be made establish the principles for a very workable organization. I have contacted the Minister of Natural Resources requesting a meeting with him concerning the draft report.

Sincerely,

Florence Gell (Mrs.)

FG/mm
cc: Mr. J. Kruger

SUMMARY OF RECOMMENDATIONS

1. The Metropolitan Toronto and Region Conservation Authority remain as a statutory corporate body under the Conservation Authorities Act.

2. The Regional Municipalities and Metropolitan Toronto, which comprise the Authority, seriously consider increasing their municipal financial contributions as outlined elsewhere in this report, in order to permit the Authority to achieve the important objectives which will directly benefit these municipalities in the future.

3. No change in the existing boundaries of the MTRCA should be made.

4. The existing mandate of the MTRCA remain for the ten program objectives in which it is already involved. This mandate should not be expanded without the concurrence of the Province for "core" programs and the municipalities for any programs which are "non-core" and which require funding support from municipalities.

5. In recreation and waterfront development, the Authority's objectives shall have regard to the objectives of affected metropolitan or regional municipalities.

6. Heritage programs administered and developed by the Authority be compatible with the goals and objectives of the metropolitan or regional municipality in whose area the heritage project is located.

7. Major educational bodies should continue to use Authority lands and the educational programs administered by the MTRCA be set in consultation with these bodies. Funding of these educational programs remain on the basis of cost recovery from school boards as is now the case.

8. Outside of Metropolitan Toronto, the use of MTRCA lands by municipalities be encouraged, provided such lands are used for purposes not in conflict with MTRCA objectives. Where such use is contemplated, it be on the basis of a token lease-back arrangement in order to ensure MTRCA retains ownership in the land. Any recreational development in connection with the leased lands be at the cost of the local municipality, and the Province be requested to outline a set of permitted uses on these lands rather than direct where municipal money might be spent.

9. The four Watershed Boards and five Functional Advisory Boards be discontinued.

10. (a) The Province permit the Authority to appoint its own Chairman from among the members of the Authority, to hold office for the term of the Councils of the participating Regional and Metropolitan municipalities.

(b) When the Conservation Authority Act is revised, the Province give consideration to restricting the Chairman to one vote only, and the second and deciding vote be eliminated. Also, when the Act is revised, the quorum requirements of the Board be in accordance with the Municipal Act, namely a simple majority of the Board.

11. The Authority Board be reduced from 53 members to 29 members. The Board be composed of Regional, Metropolitan and Provincial government representatives as follows:

Region of York	5
Region of Durham	3
Region of Peel	5
Metropolitan Toronto	13
Province	3

12. One of the Provincial appointees represent the interests of Adjala and Mono Townships. As an alternative, the interests of these Townships be represented by one of the Peel Region appointees.

13. All Authority members be elected officials of Regional and Metropolitan governments with the exception of the Provincial appointees. Appointments be made by each Region and Metro in accordance with its own standards and the term of the appointments be consistent with the policies of the Regional or Metropolitan Councils.

14. The Vice-Chairman of the Board act in the stead of the Chairman in the latter's absence and have no other specific responsibilities.

15. The Authority Board elect an Executive Committee of 7 members from among their number, plus the Chairman and Vice-Chairman of the Authority. These 7 be composed of -

- One from each Region
- Three from Metropolitan Toronto
- One from the Province

16. (a) The powers of the Executive Committee be based on those set out in section 3D of this report.

(b) The Executive Committee be given special delegated authority in summer if the Authority Board does not sit during summer months, and it also be delegated responsibility for the Authority's powers under Section 28(1) of the Act, dealing with fill, construction, and waterways regulations.

(c) The Executive Committee could hear delegations.

(d) A quorum of the Executive Committee to be a simple majority (5).

17. a) The Authority Board appoint three Advisory Boards to act as Standing Committees of the Board in the following areas:

- Water and Related Land Management
- Conservation and Related Land Management
- Finance and Administration

With responsibilities in accordance with Section 3F ((i),(ii) & (iii)) of this report.

b) The Chairman of the Authority be a voting ex-officio member of each Advisory Board (Standing Committee) and be counted for quorum purposes. A quorum be a simple majority.

c) Advisory Boards (Standing Committees) should hear delegations which would have the final right of appeal to the full Authority.

18. The Authority give consideration to the establishment of an Advisory Committee dealing with Heritage, Education and Community Relations comprising outside experts under terms of reference to be decided by the Authority. The reporting process

of this Committee to be decided by the re-organized Authority, but it is strongly suggested it report through the Executive Committee.

19. A review of the MTRCA Foundation be undertaken regarding its role, structure and relationship to the Authority and a further report be sent on this matter to the Policy Steering Committee responsible for this study.

20. The Province be requested to increase its funding of core programs from the present 55% support to 60%. Core programs are defined as -

- Flood Control
- Erosion and Sediment Control
- Storm Water Management
- Land Acquisition
- Conservation Land Management
- Shoreline Management

21. The Authority not include for consideration of the Authority Board any development or other work in its core programs without, in the first instance, receiving the firm comments from the Regional or Metropolitan governments in whose geographical area the proposed work is to be undertaken.

22. All future watershed recreation programs on Conservation lands in the first instance receive the approval of the Regional government affected before being placed in the Authority plans. Provincial approval be deemed to be satisfied where programs meet present guidelines for permitted use as established by the Minister of Natural Resources.

23. The Authority negotiate with the Metropolitan and Regional governments to achieve a funding formula for watershed recreation development based on:

- Province continuing to contribute as in the past.

- The benefitting municipal governments share the development costs of each project on a discounted equalized assessment basis.

24. The Authority negotiate with the Metropolitan and Regional governments a funding formula for maintenance and operations of watershed recreation programs based on:

- Province continuing to pay its traditional share.

- Contribution towards assigned costs of facilities and sites by Metropolitan Toronto and the Region, within which the

facilities and sites are located, be on the basis of per capita use by their respective residents; and the balance of costs be funded through the MTRCA municipal levy.

25. Agreements on an inter-municipal basis with respect to 24 above be negotiated between the Authority, the Regions and Metropolitan Toronto under a 5 year phase-in principle, which ensures the per capita contribution is reached by no later than 5 years.

26. The Authority contract with the Province, Metro and Durham for waterfront development to be funded on the basis of:

- Province maintain at least its existing level of contribution in dollar terms.

- The Metropolitan government increase its contribution to waterfront projects in Metropolitan Toronto in accordance with the need of the Metropolitan Council, at no less than a 60% funding level.

- Waterfront projects development in the Durham Region be funded for the municipal share on the basis of an inter-municipal agreement to be negotiated between Durham and Metro.

- The Regions of Peel and York not contribute to MTRCA waterfront development.

27. Each Regional government individually fund the municipal share of Heritage projects located in their regions.

28. Metropolitan Toronto fund the entire municipal share of Black Creek Pioneer Village. In this regard, Metro works with the Authority to seek additional funding from Ministries of the Provincial Government other than the Ministry of Natural Resources and in addition, seeks funding from the Government of Canada.

29. In matters of education, the Authority continue to make its assets available for the use of school boards, provided the boards continue to fund these programs as in the past.

30. The Authority develop a 3 year program for submission with its 1985 budget covering all aspects of education, marketing and community relations.

31. As a matter of priority, the Ministry of Natural Resources be requested to take such action as is necessary to give effect to the proposed changes in the Authority membership, and to expedite

such approvals as may be required to ensure the committee structure of the Board and other items can be implemented as soon as possible.

REPORT OF THE REVIEW

I. BRIEF HISTORY OF THE AUTHORITY

The Metropolitan Toronto and Region Conservation Authority has been highly successful in meeting its objectives over the nearly thirty years of its existence. In addition to its success in protecting the environment from natural disasters and in conserving the many natural assets in its area, the Authority has become a predominant force in acquiring and managing the 11,000 hectares of public lands within its borders. The changes recommended in this report should not be viewed as criticism of the past achievements of the Authority. While updating of the Authority is necessary, its record is one of commitment and operational planning which has served Metropolitan Toronto and the surrounding regions well.

A. Origins of the MTRCA

Conservation Authorities in Ontario have their origins in the Conservation Authorities Act which was introduced in 1946. Guidelines for the preparation of the Act established certain principles under which Conservation Authorities still operate. First, an Authority could only be formed by the petition of the municipalities in a watershed. Second, an Authority had to be a body corporate, thus assuring that the

autonomy of the Authority would be inviolate. Finally, an Authority had to obtain its funds from Provincial grants, taxes raised by the member municipalities and where appropriate grants from the government of Canada. Contributions could also be sought from private and corporate sources.

The autonomy of the Authority creates an inherent tension between the need for it to be independent in pursuing the objectives of public safety and conservation while at the same time requiring it to be subject to local municipal pressures. A further tension is the strong influence and control of Authority programs by the Province, a factor which has been apparent since the inception of Conservation Authorities. In the period of growth which has been the record of the MTRCA, these inherent tensions never had any great direct impact but when restraint in expenditures became necessary at all levels of government, the influence of these tensions began to be felt. Simply put, to whom does the Authority owe prime response - the Province, Municipalities or its own objectives?

The four Authorities that pre-dated the Metropolitan Toronto and Region Conservation Authority were established between 1946 and 1954. They included the Etobicoke Conservation Authority, the Don Valley Conservation Authority, the Humber Valley Conservation Authority and the Rouge-Duffin-Highland-Petticoat Conservation Authority. At the time of their creation, the staff of each Authority was provided by the Provincial Government's Department of Planning &

Development. This Provincial Department was also responsible for the preparation of a Conservation Report detailing the resource management needs and recommending a program for the Authority within the watersheds for which it was responsible. As has been noted, close provincial involvement in the affairs of Conservation Authorities was evident from their inception, and this continues today.

In 1954 Hurricane Hazel ravaged the Toronto area and caused substantial property damage and loss of life. As a result, there was increased emphasis on the need to coordinate the work of the Conservation Authorities within the newly created Metropolitan Toronto area and surrounding districts. Consequently, in 1957 the Metropolitan Toronto and Region Conservation Authority was created by amalgamating the four Authorities in the Toronto district. The new Authority was set up with a total of 50 municipal appointees, based on representation from all local municipalities in the area. This preserved the principle of local involvement in the affairs of the MTRCA, and the influence of the four Authorities which were amalgamated was preserved by the MTRCA through the creation of four watershed advisory boards. In addition, the MTRCA set up five functional advisory boards in the areas of Conservation and Wildlife, Reforestation and Land Use, Information and Education and Historical Sites. Subsequently, an additional advisory board was established for Flood and Pollution Control. Over the years, there has been some consolidation of Advisory Boards. Nine boards remain, despite the fact that the Authority's work is now carried out in two major categories: Water and

Related Land Management and Conservation and Recreation Land Management.

B. Plans and Programs

The immediate objectives of the Authority in 1957 were: good land use planning leading to protection of the environment; control of flood damage by flood plain acquisition; construction of necessary dams and channel works; pollution control; reforestation of marginal and sub-marginal land; the establishment of conservation areas and historic sites; and the undertaking of a broad program of conservation information and education leading to effective land and water use. The implementation of these program objectives when the MTRCA was first formed to some extent reveal the essentially rural nature of the territory in which the Authority worked at that time, a fact which has altered radically in the intervening years.

In fulfillment of its objectives the Authority initiated a plan for flood control and water conservation in agreement with the Province which included the construction of dams and reservoirs, the acquisition of flood plain and the construction of channel improvements. This was to be a ten year program beginning in 1961 and involving the Authority, the Province of Ontario and the Government of Canada. The master plan for acquisition of flood plain and conservation land was adopted to guide the Authority in this area of its activities.

A plan for ancillary conservation measures was also drawn up which established targets for reforestation, wildlife habitat improvement and the development of recreational facilities. In 1963 a report on pollution control and recreation in the Metropolitan Toronto Region was adopted with the aim of maintaining high water quality standards in order to retain the ability of watercourses to provide recreational benefits. At that time a forestry agreement was entered into with the Ministry of Natural Resources to establish the long term management of reforested Authority lands by the Ministry. These various plans set the groundwork for the considerable developments which the Authority was to undertake during the next two decades.

In 1966 the Authority adopted a streambank erosion control program which enabled it to carry out remedial works upstream of reservoirs. From this evolved the Authority's activities in the general area of erosion control which eventually resulted in the erosion control and bank stabilization program in Metro and the other Regions in the 1970's.

The development of the Lake Ontario waterfront was a subject of continuing debate through the 1960's and in 1970 a waterfront plan was adopted and the MTRCA was subsequently designated as the implementing agency. The Authority then prepared and adopted a ten year waterfront plan and a series of waterfront projects to provide much needed development through that period.

After nearly twenty years of operation, in 1975 the Authority undertook to consolidate and review all of its resource management programs and policies. This review resulted in the 1980 Watershed Plan and its ten component programs. The Watershed Plan provides guidelines on the future direction of the Authority's activities and was a very important document to this present review in indicating the scope of the Authority's future plans.

It is important to recognize that until 1975 restraint in expenditures was not a major problem, and Provincial support for programs was generally assured. Municipalities could count on Provincial grants increasing each year. As is explained elsewhere in this report, the Province has been forced to place priorities on its grants to the extent that continued development of MTRCA objectives in other than "core" programs will depend more directly on Municipal and not Provincial funding.

C. The Future of the Authority: The Watershed Plan

The Watershed Plan of the MTRCA addresses each of the ten component programs in which the Authority today is involved. These plans were drawn up by Authority staff and in their draft form were submitted to all member municipalities of the Authority, local municipalities and the Ministry of Natural Resources for comment and endorsement regarding the future direction of each of the ten pro-

grams. In summary, the plan identified the developments for each program area which are listed below. Where a program is essential to public safety and traditional land and water conservation activities, it is considered in this Review to be a "core" program which the Province supports. Where a program is involved in recreation, education and heritage activities some Provincial administrative funding is available but otherwise future development and net operating costs are generally left for Municipalities to give the financial support. Expenditures on general administration are shared equally by the Province and the municipalities.

(i) Flood Control Program

In order to prevent development in flood hazard areas and to ensure that areas already designated as flood hazardous will not be developed further, the Authority regulates the development of flood plain lands. This activity is a cooperative effort between the Authority and member municipalities. On undeveloped flood plains the Authority pursues a policy of restricting any development that would inhibit the valley's natural capacity to pass the flood of a regional storm. On developed flood plains, remedial measures and modified restrictions are applied to reduce the effects of flooding and the creation of new hazards.

A ten year program for the construction of site specific remedial works on a priority basis has been initiated. In addition, a flood

warning system is imperative for the protection of life in flood vulnerable areas. Such a system requires an improved communication system and computer correlation of data to predict flooding, as well as the capability of advising affected areas of impending floods. This is a "core" program, and while most of the work required for remedial action is well developed, the MTRCA still has an important role to play in preventing future problems in urbanizing areas.

(ii) Erosion and Sediment Control Program

There are two main components to this program: Prevention and Protection. The Prevention Program is designed to minimize the aggravation or creation of erosion or sediment problems as a result of new development and the Protection Program is designed to rectify existing problems through protective works. The emphasis of the Authority is on prevention through involvement in urban and rural planning, construction and zoning as a means of avoiding future expenditures on expensive protection measures. This is a "core" program and it is essential that the Authority exercise its planning and responsibilities if the urban and rural nature of the geography it controls is to be protected.

(iii) Storm Water Management Program

The Authority sees this as a two-way partnership between it and

the municipalities, but advocates that the Authority should prepare Part I of the required Master Drainage Plans which sets out the guidelines within which municipalities would be expected to work. The Watershed Plan notes that the Storm Water Management Program requires a change in attitude not only on the part of drainage designers and administrators but also on the part of politicians, landowners and the general public, in coping with the problems of storm water drainage resulting from intensive land development. This is a "core" program, and the Authority has a critical leadership role to play in these areas.

(iv) Land Acquisition Program

The Authority acquires lands designated as hazard or conservation within its river valleys and along the Lake Ontario shoreline. The acquisition of hazard lands is justified by the fact that it is necessary to preserve the natural flood storage capabilities of river valleys. The acquisition of conservation lands is for the preservation of significant areas in their natural state. Municipal zoning laws and development controls are not always effective means of protection as opposed to acquistion of land by the Authority.

Recreation lands are also acquired as part of the Conservation Land Management or Waterfront Development programs. Although much of the land base requirements have now been met,

there are still important tracts of land to be acquired as they become available, in order to achieve the objectives of both the Authority and the member municipalities. This is a "core" program, and an important part of the Authority's activities.

(v) Conservation Land Management Program

In the past, the Authority's programs in this category have dealt mainly with lands in rural areas. However, there is now a need to extend such programs into the urbanized areas in order to initiate sound reforestation, fish, wildlife and soil conservation practices. As urban development intensifies there will be need for increased cooperation between the various levels of government and the Authority, to advise other agencies of the Authority's conservation concerns. The program provides natural resource management for all Authority lands and provides assistance and advice to public and private land owners on all aspects of conservation management. This is a "core" program, which is increasing in importance.

(vi) Watershed Recreation Program

The Authority operates three types of Conservation areas: active use areas which include swimming facilities; passive use areas; and forest and wildlife areas which emphasize reforestation and improvement of wildlife habitat. The Authority has an agreement

with Metro Toronto whereby the Metro Toronto Parks Department manages Conservation lands within Metro Toronto. Indeed, most of the land serviced by the Metropolitan Parks Department is leased from the MTRCA. The Authority also enters into agreements with local municipalities for the development and management of open space recreation facilities. With the development of leisure time activity centres by local municipalities, the Province and the private sector, the Authority is facing increased competition for visitors at its Conservation areas. The supply of opportunities for specific activities such as fishing or boating within the Authority's jurisdiction is low, although there is growing demand for swimming, cross-country skiing, walking and hiking facilities. Development of recreational facilities by the Authority requires cooperation between it and other public agencies involved in recreation. The maintenance of the existing level of recreational opportunities is the first priority of this program. However, the development of a marketing component which would allow the Authority to tailor its services to the needs of residents also has high priority. This is generally considered to be a "non-core" program, and increased funding will have to come from municipalities in order to meet the Authority's objectives.

(vii) Lake Ontario Waterfront Development Program

The Authority is subject to increasing pressure on the Lake Ontario waterfront for recreational purposes because of increased

travel costs and costs of private recreation outside of Toronto. For this Program, the Authority acts in the role of a developer on behalf of Metro Toronto and Durham Region in the provision of regional recreational facilities on the waterfront. This is a special program quite apart from traditional conservation activities, and an acceleration of development will have to come from municipal financial support from Metropolitan Toronto.

(viii) Shoreline Management Program

The Authority recognizes the need for a comprehensive Shoreline Management Program which is directed at reducing shoreline erosion and diminishing the need for emergency programs which in the past have been necessary at the extreme of lake level fluctuations. The Program has both a preventive and a protective component with much of the highest priority protective work going to the Scarborough Bluffs. The Shoreline Management Program and Waterfront Development Program overlap since artificial beaches created as a protective measure will also be used by the public for recreational purposes. This is a mixture of "core" and "non-core" programs, requiring close coordination by all levels.

ix) Heritage Conservation Program

The Authority recognizes and promotes heritage resources located

on Authority lands. The main heritage project of the Authority is Black Creek Pioneer Village. With the exception of the Boyd Archaeological sites and Pioneer Village no major development activities are foreseen in the near future. The addition of a Visitors Centre to Black Creek Pioneer Village is seen as a means of increasing revenue to help offset the Village's deficit. This is a program which has only marginal Provincial support and is considered "non-core". Considerable financial help from municipalities, in particular Metropolitan Toronto, is required if this program is to succeed.

(x) Community Relations Program

The Authority has targeted several groups for attention by its Community Relations Program. The Authority sees a pressing need to keep elected officials up-to-date on the activities and programs of the Authority and to inform the public of additions and changes to its Programs through advertisement of its attractions. With regard to Conservation Education, the development of new or additional conservation field centres will only be undertaken on the basis of requests from School Boards and under agreement providing for capital development costs to be assumed by the Boards. This also is a "non-core" program.

D. Recent Provincial Priorities for Conservation

During this Review, the Ministry of Natural Resources circulated to all Conservation Authorities a discussion paper on Provincial policies affecting Conservation Authorities. In summary, the key implications of this draft paper, to which Conservation Authorities have been invited to respond, are that Conservation Authorities should:

- Have total responsibility for ensuring public safety, subject to Ministry approval of individual projects.

- Act largely as the Province's agent in the areas of fish, wildlife and forest conservation (the Authority disputes this in so far as forest conservation affects flood control and erosion control).

- Have discretion over involvement in soil erosion and sedimentation programs, but can act for other agencies which provide funding.

- Can act as Provincial or municipal agents in preserving environmentally significant areas.

- Can use their own lands for outdoor recreation, but not in competition with other park systems; MNR development funding will only be for areas of greatest need.

- Operate information, education and heritage programs which must be consistent with Conservation Authority's priorities; the Ministry encourages Authorities to seek funding from other Ministries.

The reality is that since financial restraint became the norm for all governments, these draft policies have been reflected in MNR funding priorities in recent years. Thus major provincial funding has been for "core" programs in the areas of public safety and traditional lands and water conservation. The provision of recreation opportunites, heritage and education is not presently a major priority for MNR funding, and funds for needed development will have to come in the main from Municipalities. Lakefront development is a special project and is seen to be apart from normal provincial funding. The Ministry does not fund operating expenditures of recreation, heritage or education programs.

E. Conclusion

On analysis, it is certain that the MTRCA, over the years, has served Metropolitan Toronto and the surrounding Regional governments very well, and the objectives they have set for their future endeavours complement the requirements of both the Provincial and Municipal governments. The Authority should continue to remain as a statutory corporate body.

Also, it is certain that the MTRCA is confronted with a dilemma. On the one hand, it is now the most mature Conservation Authority in Ontario and the need for large scale acquisition of lands and consequently Provincial funding is stablizing. On the other hand, an emerging issue for the Authority is the need to manage effectively what it already controls and to maximize the development and maintenance of existing assets in accordance with the stated objectives of the Authority. In this regard when one reviews the Provincial priorities, it is quite apparent that the Authority will not be able to meet its future goals in the desired time frame without obtaining greater financial support from Municipalities.

Recommendations

1. **The Metropolitan Toronto and Region Conservation Authority remain as a statutory corporate body under the Conservation Authorities Act.**

2. **The Regional Municipalities and Metropolitan Toronto, which comprise the Authority, seriously consider increasing their municipal financial contributions as outlined elsewhere in this report, in order to permit the Authority to achieve the important objectives which will directly benefit these municipalities in the future.**

2. MANDATE AND ROLE OF THE MTRCA

A. Important Previous Reports Affecting the MTRCA

Of necessity when the mandate and role of the Authority is considered, it is essential to review recent public reports which touch on the question of mandate.

Within the last several years there have been two such reports which commented on the mandate, role and structure of the MTRCA and Conservation Authorities in general. The first was the report of the Royal Commission on Metropolitan Toronto in 1977 which, with regard to the MTRCA, recommended that:

a) The responsibilities of the Authority be limited to flood control and water conservation;

b) Lands acquired by the Authority for water management purposes with Parks and Recreation potential, including existing Conservation areas and waterfront lands be transferred to the Regional and Metropolitan municipalities in which they are situated for development and management;

c) The historic sites (Black Creek Pioneer Village) and Conservation Education Programs be similarly dealt with, (as in b); and

d) The Duffin, Petticoat and Carruthers Creeks watersheds be deleted from the Authority's jurisdiction since none flow through Metropolitan Toronto and be assigned to the Central Lake Ontario Conservation Authority.

The second report was that of the Assocation of Municipalities of Ontario in May, 1983, which made recommendations on the reform and revision of Conservation Authorities. This topic had been the subject of a review by A.M.O. and the Association of Counties and Regions of Ontario in 1980 which stated concerns relating to the accountability of membership and responsibilities and powers of Conservation Authorities. Subsequently, A.M.O. entered into discussions with the Association of Conservation Authorities of Ontario in an attempt to resolve the issues which had been identified. The main recommendations of the joint report from these two bodies were:

a) That the Minister of Natural Resources establish a working group to develop a formula/methodology for determining municipal representation on Conservation Authorities in Ontario and to examine the function of the Executive Committee within an Authority and the relationships of this Committee to the general membership of the Authority. The report noted that a reduction of the size of membership of Conservation Authorities was needed;

b) That Provincial power to appoint members to an Authority and to the Executive Committee of an Authority be removed from the Conservation Authorities Act (although this recommendation was not supported by A.C.A.O.);

c) That all Standing Committees of Authorities be comprised of Authority members;

d) That the mandate and powers of Conservation Authorities as outlined in the Conservation Authorities Act be maintained.

e) The quorum for any vote should be a simple majority as consistent with the Municipal Act.

These two documents provide a useful frame of reference in considering the broad range of issues to be addressed in this review of the MTRCA. While the Royal Commission concluded that the Authority's mandate should be severely constrained, by transfering program responsibilities directly to municipalities, the AMO report focussed more on changes to Board structure and membership as a means of enhancing local accountability, preferring the overall mandate of the Authority to remain unchanged.

Quite independent of the AMO submission, most of the analysis and consequent recommendations in this report are in agreement with the AMO findings.

B. The Question of Boundaries

As a first step in determining if any change to the mandate was necessary, a study was made of the existing geographical boundaries of the MTRCA. There is logic to the position taken by the Robarts Commission. The creation of the MTRCA originally covered territory which not only involved watershed service areas, but also the question of possible future growth of territory which in 1967 was felt might be controlled eventually by Metropolitan Toronto. For this reason, the Duffin, Petticoat and Carruthers Creek watersheds were included for they generally were contained within the boundary control of the old Metropolitan Toronto Planning Board. With the creation of the Region of Durham, these watersheds are now in municipalities administered by the Durham Region and the argument made by the Robarts report is that jurisdiction over them therefore should be transferred to the Central Lake Ontario Conservation Authority.

Against this valid observation, the study team analysis noted the following:

- There was no desire by the Region of Durham to effect any change. Under existing arrangements, the Region pays very little to the MTRCA and receives in return the ability to have developed and maintained very attractive Conservation areas which are used extensively by the residents of Pickering and Ajax

to the point they are considered, in some cases, almost as local parks. There is no public pressure to change.

- From the Metropolitan Toronto perspective, these watersheds are a valuable Metropolitan asset, for most of the municipal money which was used to acquire and develop them came from Metro. On a per capita basis, surveys indicate that Metropolitan residents use the facilities to the extent of approximately 50%.

- The Province has indicated unless there is unanimous agreement among all affected parties to effect a boundary change, the Province would be unwilling to approve one. No such agreement exists.

Thus, the evidence weighs against any boundary change to the east.

Consideration was also given to an expansion of the MTRCA boundaries to the west. While there may be arguments for moving the Etobicoke Creek Watershed to the Credit Valley Conservation Authority, we could find no general support for such a move.

Recommendation

3. **No change in the existing boundaries of the MTRCA should be made.**

C. Legislative Mandate

The legislative mandate for Conservation Authorities in Ontario is contained in Section 20 of the Conservation Authorities Act which states:

> "The objects of an Authority are to establish and undertake, in the area over which it has jurisdiction, a program designed to further the conservation, restoration, development and management of natural resources other than gas, coal, oil, and minerals."

As has been noted, the MTRCA has established ten programs in fulfillment of these objects, which are described in Section 1 of this report. These ten programs fall into three major categories:

- Public safety and the traditional land and water conservation

- Provision of recreation and education opportunities, including preservation of heritage structures

- Lakefront protection and development

The Authority's role in recreation, education and on the lakefront are natural outgrowths of its role of ensuring public safety and its traditional conservation activities in preserving the environment. As a

result of acquiring an attractive land base, the Authority has made these lands available for the use of residents within its boundaries for recreation purposes and where these lands also include structures which have heritage aspects, the Authority has become involved in heritage preservation.

On the Lakefront, the Authority acts as the agent of municipalities in providing development expertise and in protecting the shoreline from erosion and this is an extension of its activities within the watersheds of the region.

Regarding its involvement in education, the Authority has made available existing structures and lands for the use of local school boards as an appropriate use of these facilities and as an outgrowth of its general concern for education about conservation matters. These various programs in recreation, education and heritage are all permitted under Sections 20 and 21 of the Act.

Thus, what the Authority has now as a legislative mandate is quite logical and it ought not to be altered. However, the issue that is of most concern is how far it is appropriate for the Authority to go in offering all its programs, and the degree to which it can be held accountable for its decisions by those who must pick up the costs, namely, the Province and the municipalities. The question of mandate is therefore intimately related to the question of accountability and financial control.

Under the Conservation Authorities Act, the MTRCA is autonomous within the constraints of the Act. The Act establishes a formula for the appointment of members to the Authority from the participating municipalities according to population and sets out the basis upon which the Authority raises funds for its operations.

The Province has certain specific powers by which it may indirectly control the activities of an Authority. If the Province provides a grant, the Lieutenant Governor in Council may appoint not more than three members to the Authority; may appoint the Chairman of the Authority and may appoint a member to the Executive Committee. This effectively gives the Province power to participate in the decision-making process of an Authority. More importantly, however, before proceeding with a project, the Authority must file plans and a description of the project and obtain the approval, in writing, of the Minister, even where the Province provides no financial support. All developmental activities of Conservation Authorities thus come under close Provincial scrutiny and control.

D. Discussion of Mandate and Role

In summary, the existing programs of the Authority all serve clearly identified needs, and if any were to be discontinued by the Authority they would undoubtedly have to be provided by other organizations; most notably, municipalities.

The Royal Commission on Metropolitan Toronto concluded that the Authority's mandate should be limited to its core role of ensuring public safety and providing traditional conservation services relating to land and water management. The Commission proposed that the Authority's programs in the areas of recreation, heritage and education should be assumed by individual Regions and Metropolitan Toronto. However, only Metropolitan Toronto has a regional parks system and Metro already operates the parks on MTRCA lands within its borders. The three regions of Peel, York and Durham do not have a structure whereby they might manage Authority lands turned over to them for recreation purposes, although in individual cases certain recreation lands have been placed under the management of area muncipalities. There is no evidence to suggest Peel, York or the Durham regions will have a Regional Parks system in the future. Instead, the Regional Parks system is in reality conservation lands. However, individual arrangements have been made between the Authority and a Region for the use of MTRCA lands.

The major heritage program is Black Creek Pioneer Village, and the MTRCA has the need for much greater certainty on the funding of this program. Consideration was given to having Metro assume full responsibility for the operations and maintenance of the Village. However, there are advantages to having Black Creek Pioneer Village remain with the Authority since funding sources such as private donors and lotteries would likely not be available to the Village under Metro's ownership.

With respect to education, the various field centres operated by the Authority on behalf of school boards and other organizations are funded almost totally by the school boards and have a wide mix of users from all Regions and Metro. It is therefore difficult to conceive of an alternative organizational placement for the education programs of the Authority which would be able to plan and administer the use of the facilities to such a diverse range of clients.

Although the legislative mandate for the Authority remains appropriate and the program structure which the Authority has chosen in fulfillment of its statutory obligations is still valid, the way in which the Authority carries out its role and the control over that role does require adjustment. Provincial and municipal viewpoints on the role of the Authority generally converge. While the Province's main concern and priorities are for the core programs, discussions with municipal officials and staff indicate a greater concern by the municipalities for the recreation, education, heritage and waterfront activities of the Authority. This appears to be consistent with the priorities set forth by the Province in its recent discussion paper.

E. Conclusions

The study team therefore concluded that the legislative mandate of the Authority and its program structure is still appropriate except that if municipalities raise money for projects where no provincial funding is

provided, the Minister should not direct where these funds are to be spent, provided that the projects meet acceptable uses as outlined by the Minister for conservation lands. In the core programs of the Authority, Provincial standards and guidelines must be met. However, in recreation and waterfront development, the Authority's role must be set according to municipal objectives and needs, as must the Authority's role in heritage programs. The study team agreed that provincial financing should be sought wherever possible from other provincial and federal Ministries, particularly for Black Creek Pioneer Village.

Regarding educational programs of the Authority, the Authority's role should be set in consultation with the major educational institutions which make use of them and the programs should continue to be fully cost recovered, as at present. Any new programs in the areas of recreation and heritage should require the approval of the Council of the Region in which the project is planned before becoming part of the Authority's plan.

Finally, the study team reaffirmed the use of MTRCA lands by member municipalities, on a token lease-back basis, as long as such use is compatible with Authority objectives and provided the municipality bears the costs of any development. Such arrangements should be encouraged by the Authority.

Recommendations

4. The existing mandate of the MTRCA remain for the ten program objectives in which it is already involved. This mandate should not be expanded without the concurrence of the Province for "core" programs and the municipalities for any programs which are "non-core" and which require funding support from municipalities.

5. In recreation and waterfront development, the Authority's objectives shall have regard to the objectives of affected metropolitan or regional municipalities.

6. Heritage programs administered and developed by the Authority be compatible with the goals and objectives of the metropolitan or regional municipality in whose area the heritage project is located.

7. Major educational bodies should continue to use Authority lands and the educational programs administered by the MTRCA be set in consultation with these bodies. Funding of these educational programs remain on the basis of cost recovery from school boards as is now the case.

8. Outside of Metropolitan Toronto the use of MTRCA lands by municipalities be encouraged, provided such lands are used for purposes not in conflict with MTRCA objectives. Where such use is contemplated, it be on the basis of a token lease-back arrangement in order to ensure MTRCA retains ownership in the land. Any recreational development in connection with the leased lands be at the cost of the local municipality, and the Province be requested to outline a set of permitted uses on these lands rather than dire[illegible] where municipal money might be spent.

3. AUTHORITY BOARD STRUCTURE AND RELATIONSHIPS

The structure of the Authority Board and its various committees has remained virtually unchanged over the 27 years during which the Authority has been in existence. Membership on the Authority is according to a formula established in the Conservation Authorities Act which still reflects the local municipal structure prior to the time when Metropolitan Toronto and the Regional governments within the Authority's borders existed.

The Board currently has 53 members which the evidence indicates is too large for it to act as an effective decision-making body. A mixture of elected and non-elected officials sit on the Board. Probably because of the size of the Board, many important powers of the Authority have been delegated to the Executive Committee, which is permitted under the provisions of the Conservation Authorities Act (Section 30(d)). The Executive Committee comprises the Chairman and Vice-Chairman of the Authority, and the Chairmen of the nine Advisory Boards, which reflects the historical origins of the Authority, but is not necessarily a representation of the manner in which appointments are made to the Authority. The original structure of the MTRCA and its advisory boards was probably appropriate, but over time, with the addition of five functional committees, the MTRCA has developed into a general purpose body with no clear accountability to an electoral base.

As a consequence, the relationship between the Board, the Executive Committee and the Advisory Boards has given rise to criticism by some members of the Authority, and by some representatives of the participating municipalities, to the effect that the Authority is not accountable to its participating municipalities and the 53 membership of the Board of the Authority does not adequately relate to the funding realities of today. Some Authority members have poor attendance at meetings of the Authority, for what point is there to come to meetings when little real power can be exercised because of the dominance of the Executive Committee? Some Advisory Boards are active while others meet infrequently and there are indications of overlaps between the Watershed Boards and the Functional Boards on certain matters. Not only is the role of the Advisory Boards unclear, but it is difficult to see how they can make a real contribution in the future, because the Authority has now reached a mature stage where ongoing operational problems and not major development problems consume most of its attention.

Finally, the Provincial power to appoint the Chairman to the Authority, contained in the Conservation Authorities Act, is seen by some as not being consistent with local accountability, although it is recognized that in the early stages in the development of an Authority, Provincial guidance, through the power to appoint a Chairman, was desirable. However, since the MTRCA is now a mature organization, it should be permitted to elect its own Chairman from among its members, as do the majority of Authorities in the Province. Also, it is noted that the

Chairman under the Act, is entitled to one vote, and in the event of a tie vote, the Chairman is afforded a second or deciding vote. The consensus of the study team is that when the entire Conservation Act is reviewed, the Chairman should be limited to one vote.

These various criticisms fortunately have not reflected adversely on the important accomplishments of the Authority, but they are strong indications that the structure of the Authority is no longer in keeping with present day financial or political realities in the area served by the MTRCA. Change is urgently required.

First, it is clear that the size of the Authority does not make for efficient decision-making or provide an effective forum for the discussion and resolution of issues facing the Authority. Membership has to be reduced to the point where the Board as a whole can become the central decision-making body for the Authority, rather than the Executive Committee, as is now the case. In addition, the membership of the Authority has to reflect present political and financial realities by establishing a formula for membership which ensures that direct political input from the Regions of York, Durham and Peel and Metropolitan Toronto is the major contributor to the Authority's deliberations and decision-making. As increased funding will have to come from municipalities, it is essential that the voters have the ability to hold their elected officials accountable in a direct way for their actions on Authority matters.

Finally, in keeping with a move towards a smaller Authority which can make direct decisions about its affairs, a restructuring of the committees of the Authority is required, and the nine Advisory Boards which now report through the Executive Committee should be retired.

A. Reduced Size of the Authority

The present formula for membership is that each of the three Regional Governments and Metropolitan Toronto make appointments according to the membership to which their area municipalities would be entitled under the Act, based upon population. This formula gives Peel nine members, York ten members, Durham five members and Mono and Adjala one member. Metropolitan Toronto appoints a number equal to the combined total of all other municipalities, being 25. The Province appoints three representatives, which is its maximum entitlement under the Act. Thus the present board has a total membership of 53. There is general agreement that membership should be reduced to a number which can still preserve the historical voting power of each Regional government. Using this as a standard, several options were reviewed and the study team seriously considered a reduction to 13 members. However, after much debate, the consensus reached was that an appropriate formula for membership could be as follows:

	Present	Recommended Size
York Region	10 (4)	5 members
Durham Region	5	3 members
Peel Region	9 (3)	5 members
Adjala & Mono	1 (1)	**
Metropolitan Toronto	25 (15)	13 members
Province of Ontario	3 (3)	3 members
Total Membership	53	29

( ) denotes non-elected members

** One provincial representative or alternatively a Peel Region representative to also represent Mono and Adjala

This formula would maintain the same proportional representation on the Authority as presently exists and reduce the numbers by approximately 50%. The reason for maintaining the number at 29 and not reducing it further is dictated by the fact at 29 it is possible to maintain area municipality representation within the various Regions, as is presently the practice. All members would be appointed by upper tier governments (Regional and Metropolitan), which are the major municipal funders. The Provincial members would be appointed by the Province.

There is only one member currently appointed to the Authority directly from the area municipality level and this is the representative of Adjala and Mono townships. This is an anomaly to the practice that all other appointees are from the Regional or Metropolitan level and the

Province. Because of significant developments within their borders, which may affect the water quality of the Humber watershed, Adjala and Mono should continue to be represented on the Authority. For this reason, it is proposed that rather than Adjala and Mono appointing a member directly, one of the Provincial appointees could be charged with the responsibility of representing Adjala and Mono interests. An alternative might be for Adjala and Mono to request the Region of Peel representatives to protect their interest. The two townships make very small financial contributions to the Authority, and it is suggested that under the proposed arrangement, no contribution from them should be required.

Obviously, it is within the power of each Regional and Metropolitan government to make appointments as it sees fit. However, in testing a membership of 29 it appears any concerns can be overcome. If a Region were to follow the practice of ensuring area municipal representation in its appointments, a 29 rule could be made on this basis:

York Region: (5)	A representative from Vaughan, Richmond Hill, Markham, Whitchurch-Stouffville and one representative covering King and Aurora
Durham Region: (3)	A representative from Pickering, Ajax and Uxbridge
Peel: (5)	A representative from Caledon, Brampton, Mississauga and two members-at-large
Metro: (13)	The 7 members of the Metropolitan Parks and Property Committee, plus one representative from the Metropolitan Council to represent each of Etobicoke, North York, York, East York, Scarborough and Toronto
Province:	3 appointed by the Province

The reduction to 29 does not automatically mean that all the present Board problems will be resolved. A Board of 29 members means that, under Section 16(2) of the Act, a quorum is only 10 and thus if representatives of the municipalities fail to attend some meetings, the interests of those municipalities could be at risk. In any event, quorum requirements should be changed to reflect a simple majority of the Board to be a quorum. Also, under the proposed restructuring of the Executive Committee and Advisory Boards, more frequent meetings of the Authority Board will be necessary.

B. All Elected Members

As has already been stated, the Authority has to have more direct accountability to an electoral base. This means municipalities have to become more directly concerned and involved in its activities. The need for more direct political commitment to the operations and funding of the Authority was noted by many of those interviewed during the course of this review, including staff of the Authority, members of the Authority, and officials and elected representatives of the municipalities. The Authority's watershed plan comments at several points on the need for greater involvement of elected representatives. The problem to date has been that some of the elected people on the Board of the Authority have not perceived an opportunity to participate in the decision-making of the Authority because of the concentration of power within the Executive Committee and the relationship between Advisory Boards and the Committee. The attendance of some elected officials who now sit on the Board has not been consistent. With a reduced Board size and an Executive Committee which only recommends major decisions to the full Authority, it becomes possible for elected representatives on the Authority to play a more direct decision-making role and to maintain the necessary direct links between the Authority and the Councils of the Regions and Metro. Indeed, to ensure that the Authority has a clearly defined accountability to an electoral base, this report argues the Authority membership should be comprised entirely of elected representatives from Metropolitan and Regional Councils (except for the Provincial appointee).

A growing portion of the Authority's work concerns recreation, heritage and education matters, and in many ways the Authority plays the role of providing a Regional network of recreation facilities as well as providing the land base for the Metropolitan parks system. The notion of having all elected representatives on the Authority is quite consistent with the principle that such matters as parks, recreation, heritage and education should be of direct local government concern.

However, as has already been stated, the manner in which the Regions elect their members is a regional responsibility.

Recommendations:

9. **The four Watershed Boards and five Functional Advisory Boards be discontinued.**

10. **(a) The Province permit the Authority to appoint its own Chairman from among the members of the Authority, to hold office for the term of the Councils of the participating Regional and Metropolitan municipalities.**

(b) When the Conservation Authority Act is revised, the Province give consideration to restricting the Chairman to one vote only, and the second and deciding vote be eliminated. Also, when the Act is revised, the quorum requirements of the Board

be in accordance with the Municipal Act, namely a simple majority of the Board.

11. The Authority Board be reduced from 53 members to 29 members. The Board be composed of Regional, Metropolitan and Provincial government representatives as follows:

Region of York	5
Region of Durham	3
Region of Peel	5
Metropolitan Toronto	13
Province	3

12. One of the Provincial appointees represent the interests of Adjala and Mono Townships. As an alternative, the interests of these Townships be represented by one of the Peel Region appointees.

13. All Authority members be elected officials of Regional and Metropolitan governments with the exception of the Provincial appointees. Appointments be made by each Region and Metro in accordance with its own standards and the term of the appointments be consistent with the policies of the Regional or Metropolitan Councils.

C. Advisory Boards (Committees) of the Authority

It is concluded that an Executive Committee of nine, including the Authority Chairman and Vice-Chariman, would be in balance with the reduced size of the Authority. Under section 18(2) of the Conservation Authorities Act, an Authority has the power to appoint one or more advisory boards. Three Advisory Boards, acting as Standing Committees of the Board of the Authority, would be sufficient to deal with specific matters concerned with water and related land management, conservation and related land management, and [illegible] and administration. All members of the Authority would sit on one or other of these committees, providing a link between them and the Executive Committee and the Authority at large.

Standing Committees would recommend through the Executive Committee to the Authority, and the Authority would make all final decisions. Certain specific powers could be delegated to the Executive Committee for administrative ease and this is discussed in Section 3D. The Standing Committees would hear delegations and representations from the Authority's clients and the public, and the Authority itself would be the final appeal against the decisions of a Standing Committee or Executive Committee, except as noted below.

The Executive Committee would recommend to the full Authority but would have the necessary delegated powers during the summer months and would fulfill responsibilities of the Authority regarding fill,

construction or alterations to waterways regulations. It is important that the Executive Committee, because of its review powers, reflect the Authority representation from the Regions and Metro.

D. Composition and Powers of the Executive Committee

An Executive Committee of nine would be elected from among the Authority members. The Authority would establish voting rules for election of the Executive Committee, to ensure the statutory requirement for a Vice-Chairman is met, that the three regional municipalities are assured one member each, Metropolitan Toronto is assured three members, and the Province is assured one member. The concern of this report is not to recommend what positions should have the automatic right of Executive Committee membership, for such matters are clearly within the competence of the Authority. The report's concern is to ensure that the representation on the Authority itself is correctly reflected in the Executive Committee, because of the financial contribution made by the respective Regional and Metropolitan governments. In this regard, the composition of 7 plus the Chairman and Vice-Chairman of the Authority as mentioned above, is appropriate.

It is suggested that the powers of the Executive Committee and its method of operation should incorporate the following:

- The Vice-Chairman acts in the absence of the Chairman.

- A regular meeting schedule should be decided upon, but special meetings would be at the call of the Chairman.

- Budget, Capital and Current expenditures would be reviewed by the Finance and Administration Standing Committee and recommended by the Executive Committee to the full Authority.

- The Authority determines which positions are to be designated as "senior officials" and the Executive Committee recommends to the Authority the hiring and dismissal of all senior officials and also controls on the size of the establishment.

- Reviews all reports and recommendations coming from a Standing Committee or the General Manager and makes its own recommendations thereon or requests additional information before sending the report to the full Authority.

- Authorizes payment of accounts.

- Recommends to the Authority contracts and personnel matters negotiated by a Standing Committee of the Board.

- Recommends on all matters not falling under the responsibilities of a Standing Committee.

- An Executive Committee member opens tenders; the Executive Committee ensures tendering procedures are followed and awards contracts in accordance with limits set by the Authority.

- Minutes of its meetings would be made available to all Authority members.

- Can instruct legal counsel.

- May be given special delegated authority during summer months to act for the Authority but must report all its decisions to the first fall meeting of the Authority.

- May hear delegations.

- A quorum to be a simple majority of members (5).

Recommendations:

14. The Vice-Chairman of the Board act in the stead of the Chairman in the latter's absence and have no other specific responsibilities.

15. The Authority Board elect an Executive Committee of 7 members from among their number, plus the Chairman and Vice-Chairman of the Authority. These 7 be composed of -

- One from each Region
- Three from Metropolitan Toronto
- One from the Province

16. (a) The powers of the Executive Committee be based on those set out in Section 3D of this report.

(b) The Executive Committee be given special delegated authority in summer if the Authority Board does not sit during summer months, and it also be delegated responsibility for the Authority's powers under Section 28(1) of the Act, dealing with fill, construction, and waterways regulations.

(c) The Executive Committee could hear delegations.

(d) A quorum of the Executive Committee to be a simple majority (5).

E. Standing Committees

Three Advisory Boards, acting as Standing Committees of the full Board, should be created with the Authority Chairman to be a voting ex-officio member of each Committee. They would respond through the Executive Committee to the Board and be concerned with the following areas:

i) Water and Related Land Management Committee

Flood Control	Storm Water Management
Erosion and Sediment Control	Waterfront Development
	Shoreline Management

ii) Conservation and Related Land Management Committee

Watershed Recreation	Community Relations
Conservation Land Management	Heritage Conservation

iii) Finance and Administration Committee

Finance	Personnel
Property and Land Acquisition	Administration
Legal	

Recommendations:

17. a) The Authority Board appoint three Advisory Boards to act as Standing Committees of the Board in the following areas:

- Water and Related Land Management
- Conservation and Related Land Management
- Finance and Administration

With responsibilities in accordance with Section 3F ((i),(ii) & (iii)) above.

b) The Chairman of the Authority be a voting ex-officio member of each Advisory Board (Standing Committee) and be counted for quorum purposes. A quorum be a simple majority.

c) **Advisory Boards (Standing Committees) should hear delegations which would have the final right of appeal to the full Authority.**

F. Advisory Committee

As previously recommended, the Watershed Advisory Boards and the five Functional Advisory Boards should be deactivated.

The Authority has many outside client groups and individuals who are interested in and have contributed to the work of the Authority over a period of time. These interested people have often been able to provide expert advice and guidance to Authority members and staff. To provide a means whereby the Authority can continue to benefit from such interest and expertise, it is proposed that an Advisory Committee be appointed by the Authority to provide advice and liaison to the Board as requested on matters of education, heritage and community relations. The Committee would have no direct line Authority inasmuch as it could not direct Authority staff, and the actual terms of reference and the size of the Committee would be decided by the Authority. However, they might include advice to the Board on:

- marketing program strategies

- ideas as to how these functions might be improved, and for raising financial contributions to them

- adequacy of programs in these functional areas together with ideas for program events

- any matters referred to it by the Authority

- through the General Manager, requesting such staff resources as may be required

Considerable discussion took place regarding the need for this Advisory Committee. With the establishment of the Standing Committees of the Board, a strong body of opinion held there was no need for an Advisory Committee, and if such a need did develop it made more sense to have the Advisory Committee report through a Standing Committee of the Board rather than have direct access to the Board.

Another opinion held that an Advisory Committee with direct access to the Board was a necessary transitory step in phasing out the Watershed and Functional Boards.

It is the position of the report that it is within the jurisdiction of the Authority to create any Advisory Committee it wishes. The proposed Committee is probably a good transitory device to overcome any vacuum created in the phase-out of the Watershed and Functional Boards. However, from a pure organizational perspective, it is of concern as to whether or not the Advisory Committee should have direct access to the full Authority, and in this regard a re-organized

Authority should make the final decision as to the Advisory Committees' reporting process. The best compromise would be to have the Advisory Committee report through the Executive Committee.

Recommendation:

18. The Authority give consideration to the establishment of an Advisory Committee dealing with Heritage, Education and Community Relations comprising outside experts under terms of reference to be decided by the Authority. The reporting process of this Committee to be decided by the re-organized Authority, but it is strongly suggested it report through the Executive Committee.

G. The M.T.R.C.A. Foundation

The Metropolitan Toronto and Region Conservation Foundation is a non-profit corporation established for the purpose of creating a fund to be used by the MTRCA for the cultivation and advancement of conservation and the restoration and maintenance of historical sites, buildings and artifacts. Over the twenty years of its existence, it has raised over $3.6 million in contributions towards the work of the Authority. Although the Foundation was not included in the terms of reference of this review, it is apparent that recommendations regarding the

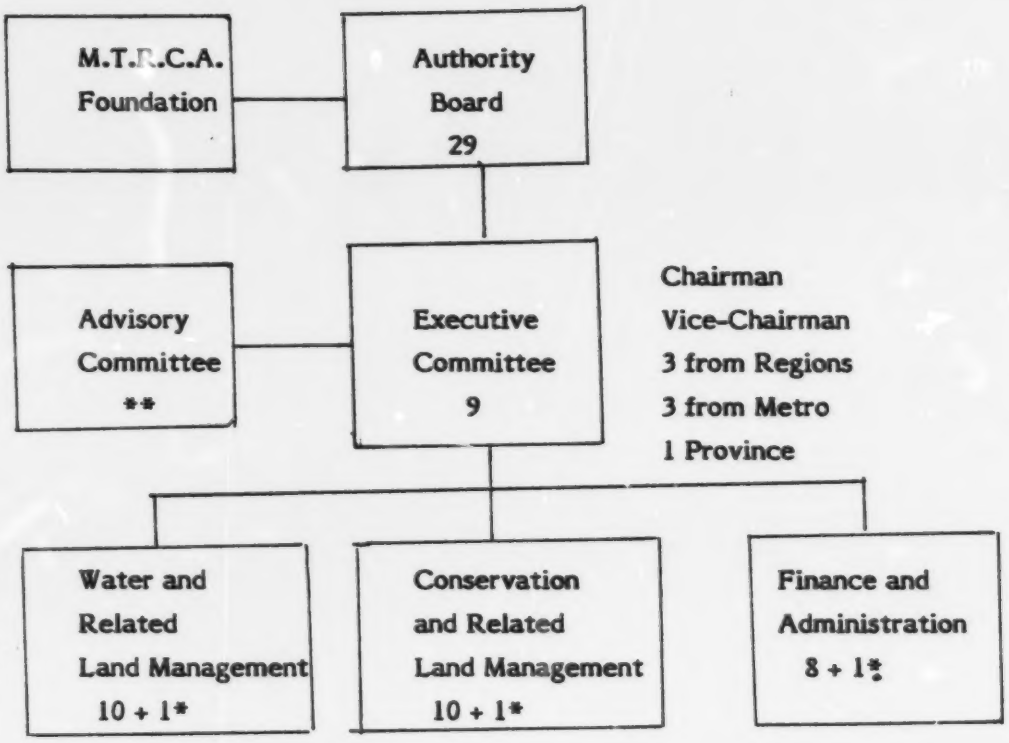
structure and membership of the Authority will have an impact on the Foundation. It was therefore proposed that a review of the Foundation's role, its structure and its membership in relation to the Authority be examined in the course of this review. The findings of the review will be incorporated in a further report on those terms of reference yet to be addressed.

Recommendation:

19. **A review of the MTRCA Foundation be undertaken regarding its role, structure and relationship to the Authority and a further report be sent on this matter to the Policy Steering Committee responsible for this study.**

H. Organization Structure

Thus, in summary, the proposed organization structure of the Authority Board and its Committees are as follows:



Flood Control	Watershed	Finance
Erosion Control	Recreation	Property and Land
Storm Water	Conservation	Acquisition
Waterfront	Land Management	Legal
Development	Community Relations	Personnel
Shoreline	Heritage Conservation	Administration
Management		

* This provides that the Chairman of the Authority will be an ex officio voting member of each Standing Committee.

** An Advisory Committee dealing with Heritage, Education and Community Relations be established (see Recommendation No. 18)

4. FINANCIAL ISSUES

A. Sources of Funds

The relationship of the MTRCA to its constituent municipalities and the Province is dictated to a significant degree by financing arrangements and the funds available to Authority programs. The MTRCA has several sources of funds for its operations and projects. The Ministry of Natural Resources provides grants towards 50-55% of the costs of development projects depending on the nature of the project. Therefore, after the Provincial contributions, the MTRCA raises 45-50% of project development costs from the participating municipalities. In addition, the Ministry will provide grants of 50% of administration costs of the Authority. Under the Act, Conservation Authorities levy local municipalities for any unmet funding requirements. Because Provincial support is stabilizing, the municipal proportionate share of overall Authority costs is increasing and likely will continue to increase in the future.

In the case of many programs to which the Province does not contribute, (for example, the operation of recreation and heritage facilities), the Authority raises money from fees charged to the users of the facilities. However, this Revenue does not meet all the expenses of such operations, and the municipalities, through a levy, provide the shortfall. The MTRCA also raises money by charges to school boards and other organizations for the use of field centre facilities and

receives money from a variety of other sources, such as museum grants, lotteries (in the case of capital projects) and payments from Provincial Ministries which use the Authority's lands.

Since Ministry funding has remained static in dollar terms for several years now, the M.N.R. share of overall Authority funding has declined from 38% in 1979 to 29% in 1983, while the municipal levy has declined slightly from 38% to 34% of Authority funding in the same period.

Because the municipal share of project and administrative costs has traditionally been in a balance with Provincial funding, as the Province cut back there was an automatic cut back in the municipal share. This has had the effect of restricting MTRCA development in areas which are becoming of heightened interest to municipalities.

Revenues in the form of fees from visitors at Authority recreation and heritage facilities and payments from school boards for the use of field centres have grown in keeping with rising operating costs of these facilities.

Sources of Funds

($millions)

	1979	1980	1981	1982	1983	
Municipal Levy	5.1	5.6	5.6	6.1	5.8	(5.4)
MNR Grant	5.1	4.5	4.6	5.1	5.2	(4.5)
Revenues	2.3	2.7	3.2	3.7	4.1	
Other Sources	0.9	0.5	0.7	0.6	1.5	
	13.4	13.4	14.2	15.5	16.6	

- 1983 excludes Visitors Centre ($1.8 million) and C.O.E.D. ($1.3 million)

- 1983 bracketted figures show MNR constrained funding and resulting municipal levy.

- Other sources of funds in 1983 include $600 thousand in revenue from the sale of lands, which decreased the municipal levy accordingly.

- Roughly 25% of Revenues in 1983 was in the form of payments from school boards.

B. Expenditures

On the expenditure side, core programs related to water management have seen little growth in the last four years, due to constraints in MNR funding, and the fact that the valley Erosion Control Program has fewer major problems to solve.

The recreation, heritage and education programs have experienced a modest rate of growth in funding, largely due to inflationary pressures. This growth, coupled with a sharp reduction in capital spending, means that these programs now account for over 40% of the Authority's expenditures, excluding general administration. If waterfront development is also counted as a recreation program, almost 60% of the Authority's program expenditures go towards providing recreational and educational services. As a result of these factors, the emphasis of the Authority has shifted from a technical project orientation to the provision of "people" services, many of which require a marketing philosophy to promote.

Expenditures

($millions)

	1979	1980	1981	1982	1983	
Waterfront (excluding Shoreline Management)	2.7	3.1	2.7	2.9	3.0	(2.1)**
Water & Related Land Management	5.5	3.8	3.3	3.1	3.8	(3.5)**
Conservation Land Management *	0.8	0.6	1.7	2.3	2.1	
Conservation Education	0.8	1.1	1.4	1.6	2.0	
Recreation & Heritage Operations	2.6	2.7	3.3	3.9	4.1	
General Administration	1.3	1.5	1.5	1.5	1.6	
	13.6	12.9	13.8	15.4	16.6	

* From 1981 on, this expense category includes administration of other programs previously included under "General Administration" and other expenditure categories.

** This is the reduced expenditure level after Provincial funding for 1983. The figures under the 1983 column represent the budget request.

C. Provincial versus Municipal Funding

The multiplicity of funding sources and formulae has given rise to a number of financial issues confronting the Authority. Over the last six years, Ministry funding to the MTRCA has remained virtually constant

and, taking into account inflation, this represents a substantial real decline in MNR overall funding. Because the MNR has to set its own priorities on a Province-wide basis, the result has been that the MTRCA funding from the Ministry has declined at a faster rate than other Conservation Authorities in the Province. No doubt this is partly due to the question of need because the MTRCA is reaching a mature stage and the operating costs of non-core programs which have been subject to inexorable inflationary pressures, are assuming an increasing proportion of the Authority's budget.

When one compares Ministry versus Municipal funding of Authority programs, it becomes clear that Municipal funding has gone mainly towards the "people" programs of the Authority, (that is, Recreation, Heritage and Community Relations), to make up the shortfall between revenues and operating expenditures. While Ministry money is mainly for project-oriented work of a capital nature which has a specific duration, municipal money supports ongoing operating expenditures and the requirement for municipal funds is subject to the degree to which the Authority is successful in attracting revenues to offset expenses.

MTRCA 1983 Budget - Provincial and Municipal Funding Support

($000)

	Ministry of Natural Resources	Municipal
Flood & Storm Control	1,151	507
Erosion Control	279	228
Conservation Lands Management	222	223
	1,652	958 *
Community Relations	335	542
Watershed Recreation	399	1,538
Heritage Conservation	95	438
	829	2,518
Shoreline Management	271	220
Land Acquisition	347	292
Waterfront Development	737	737
	1,355	1,249
Finance and Administration	690	708
TOTAL:	4,526	5,433

* The Municipal levy for the share of core programs is less than the 50% formula because of contributions from levy on hand from previous years and from the sale of lands.

D. Unmet Municipal Needs

In some cases, the needs of municipalities cannot be met. In particular, the policy of matching Metro funds to Provincial grants has meant that development of the Lake Ontario waterfront is taking much longer than Metropolitan Toronto had planned when the project was launched. The capital budgets for these projects are not met, because they are not matched at the rate required of Provincial funding. Also, the Black Creek Pioneer Village receives no support from MNR, and this has placed the Heritage program objectives of the Authority in a difficult position. Their need for greater certainty in funding is acute.

Waterfront Capital Development

(future program needs)

($000)	1983	1984	1985	1986	Total
Planned Metro Share	881	1,120	1,120	1,120	5,116
Actual Metro Share Based on MNR 1983 Commitment	652	652	652	652	2,608

- Metro's planned 1983 share was based on an expectation of $946 thousand in MNR subsidy. Commitment of MNR for 1983 is $700 thousand and this reduced the Metro share.

- If MNR's 1983 commitment is maintained, the project will take twice as long to complete as originally planned. $44 million have already been spent for land acquisition and landfilling.

E. Sharing of Recreation and Heritage Cost

The cost of recreation and heritage to the municipalities is greatly reduced by the income the Authority receives from user charges. Of total operating and maintenance costs at conservation areas, around 50% is recovered through entrance and user fees and at the Village, nearly 70% of such costs are recovered through revenues. The shortfall is met through a levy on municipalities.

There is inequity in the way in which the levy for recreation expenditures is apportioned among the participating municipalities, given the pattern of use of recreation facilities by the residents of Metropolitan Toronto and the individual Regions within the MTRCA. For example, Metro Toronto pays 81% of the levy for Conservation Area operations, whereas only 60% of visitors to MTRCA Conservation Areas are from Metro. In terms of actual use made of Conservation Areas by Metro and Region residents, the allocated levy on the basis of assessment in 1982 was $1.70 per visitor from York and Metro, and only 50¢ per visitor from Peel and Durham.

Within the heritage projects of the Authority, the major project is Black Creek Pioneer Village, which lies almost entirely within

Metropolitan Toronto borders. With the building of the Visitor's Centre, the Village is facing considerable change and financial pressure, which will require close municipal attention, and financial support into the future.

These various issues suggest that alternative financial arrangements have to be devised which will better reflect the priorities and needs of the major funders of the MTRCA. More equitable funding between municipalities is a critical issue.

F. Alternative Financial Arrangements

A solution to the problems requires a certain amount of compromise on the part of each participant. The various perspectives on them may be summarized as follows:

(i) The prime Provincial concern is for public safety and certain traditional functions of Conservation Authorities in wildlife and forest conservation. The municipalities should have no disagreement with this position, and they should agree that the costs of development and maintenance of all core programs in the areas of flood control, erosion and sediment control, storm water management, land acquisition, conservation land management and shoreline management should be shared by the Province and the municipalities. It still makes sense that with respect to these core programs the municipal portion allocated to each partici-

pating municipality be on the basis of equalized assessment as is now the case. However, the Province should be requested to increase its contribution on core programs to 60% for reasons explained in (iv) below.

(ii) Statistics on the use of Conservation Areas by the residents within the MTRCA boundary indicate that the majority of users come from the Region in which the Conservation Area is situated and from Metro Toronto. There is little east-west cross-region travel to Conservation Areas outside a given Regional Government. Rather the movement is, as one would expect, from Metro to the Conservation areas surrounding Metro.

For this reason, it is reasonable that development of recreation areas should be a matter to be decided and funded between the Region affected and Metropolitan Toronto, with the funding for development purposes to be based on discounted equalized assessment of the Region and Metro. This ensures that recreation area development will take place according to the needs of the major users, who should share in the expenditures. Such an arrangement would also permit Metro and a given Region to proceed with a recreation development in the absence of Provincial funding, recognizing that there may be local needs which are not contained within Provincial spending priorities. The more equitable method of sharing operating and maintenance costs would be in accordance with per-capita use as in (iii) below, and this should be

considered at some time in the future. However, the change suggested will require considerable negotiation between Metro, the Regions and the Authority.

(iii) Once a conservation area is developed, the sharing of funding for the operation of the Conservation Area, on the basis of discounted equalized assessment, as is now the case, does not square with the patterns of use of the various Conservation Areas from Metro and the Regions. It is not as much in the capital expenditure as it is in the operating expenditure funding that inequities have, over time, crept into the system.

Negotiating equitable agreements for sharing conservation area costs will not be easy. However, a suggested basis for negotiating a workable formula might be as follows. First, the specific net operating and maintenance costs of recreation facilities or sites would be identified. Second, these costs would be proportioned on a per capita basis according to the demonstrated use made of the facilities or sites by residents of Metro, residents of the Region in which the facilities are located, and other visitors from outside Metro and the Region but within the MTRCA boundaries. Third, the basis for proportioning costs would be determined by surveys of actual use of recreation facilities and sites, according to an agreed upon methodology and this would be updated periodically.

It is recognized that a formula for sharing Conservation Area operational expenditures, on the basis of visitor patterns established for Metro and the Regions would increase the financial burdens for some Regions. To ease the burden, the new formula could be phased in over a period of time. Indeed, such a financial arrangement would more closely meet the spirit of the legislation which stipulates in Section 27(2) that maintenance costs shall be apportioned to the participating municipalities according to the benefit derived.

(iv) Development of the Lake Ontario waterfront directly affects only Metro and Durham Region. Metro assumes 93% of the municipal cost of waterfront development, with the balance shared between the other three Regions. Because of the pressure for waterfront development, Metro should reach an agreement with the Province whereby the Metropolitan contribution as a proportion of the project cost would be increased from the present 50% to around 60%. It would seem appropriate for Metro and Durham to bear the full costs of waterfront development along their borders. However, while Metro would bear the full costs of its own lakefront development, because of the potential use of Durham lakefront by Metro residents, it is appropriate for Metro to share in Durham's portion of waterfront development costs along its lakefront. The exact financial arrangement between Metro and Durham should be negotiated between them, with the participation of the Province to ensure the present dollar level of

Provincial support does not decline, nor should these negotiations be to the detriment of present waterfront development projects in Peel Region.

Also, in return for Metro/Durham assuming 60% of waterfront development, the Province should be requested to contribute 60% instead of 50% for the development of core programs. (see (i) above) It is recognized that this would have to be applied on a Provincial-wide basis, but it is pointed out some Conservation Authorities in the Province now recieve more than 60% funding. A rationalization of Provincial funding would be timely.

(v) Black Creek Pioneer Village is located almost entirely within the boundaries of Metropolitan Toronto and each of the Regions have minor heritage projects located within their borders. The Village is by far the largest heritage project operated by the Authority. It is an important tourist attraction within Metro Toronto and its future development and operation requires the full support of Metro, particularly with the construction of the new Visitors Centre and the need to maximize the use of that facility. While the Visitors Centre is under construction, and during the period of initial growth and development of attendance at the Village, there will be substantial deficits to be borne Each heritage project operated by the Authority should come under the close scrutiny of the Region in which it is situated and that Region should be responsible for the development and funding of it. Under this

arrangement, Metro would become solely responsible for municipal funding of the Village.

This was a recommendation of the Robarts Commission and on analysis it makes very good sense.

G. Financing the Future

In summary, the various financing issues raised above and their solutions represent several options which the Province, Metro and the Regions could adopt to improve control over and attention to the needs of the Authority. Some of the financing alternatives represent additional costs to the various funders and others represent savings. When put together, their combined impact indicates the tradeoffs which the Province, Metro and the Regions would have to make.

Of all the options considered, the following is the recommendation:

Metro and Durham should fund the municipal share of the waterfront. Conservation Area development should be based on discounted equalized assessment and operating expenditures be shared on the basis of per capita use as discussed above. Metro would take over the municipal share of funding of Black Creek Pioneer Village. In the table below, the result of the proposed arrangement is highlighted.

Impact of Possible Change on 1983 Levy for Each Region and Metro

Based on 1983 Authority Budget ($000)

	Waterfront	C.A. Operations	Black Creek	$ Change
Metro	+340	-216	+83	+207
Durham	+65	+83	-9	+139
Peel	-19	+155	-35	+101
York	-18	-22	-39	-79
	+368	-	-	+368

(i) This would see Metro putting more money into the waterfront. In return, the Regions would assume a share of recreation operating expenditures on the basis of use, and the new formula for this should be phased in over a period of 5 years. Metro would assume full responsibility for funding the municipal share of Village costs, and the Regions would assume the costs of their heritage projects.

It is pointed out this is the full impact, but on a basis of a 5 year phase-in, the year-to-year impact on any individual Region would be small.

Waterfront expenses shown are based upon the 1983 requested level of funding. For illustration purposes, Metro and Durham sharing with the Province is on a 60/40 basis instead of the present 50/50. Metro shares the 60% allocated to Durham on an equal basis with Durham. The Provincial share of the waterfront

is not reduced from present levels. However, the Ministry of Natural Resources would be approached to increase its share of funding of core programs to 60%.

(ii) It should be noted that in taking over full financial responsibility for Black Creek Pioneer Village, Metro is facing the possibility of substantial increases in its contribution in future years. The $83,000 additional cost to Metro shown in the above table of assuming full funding of Black Creek is based on budgetted net operating expenses in 1983 of $433,000. The projected actual for 1983 is over $510,000 and this will increase substantially with the projected first year loss on the Visitors Centre. Metro's cost would therefore go from $350 thousand budgetted in 1983 to over $800 thousand in 1985. (Under present rules Metro would, in any event pay 81% of these costs).

Also, the Metro saving on Conservation operations would be used to increase waterfront development.

(iii) The changed financial proposals would have the effect of increasing the contributions from Metro, Durham and Peel, and reducing the contribution from York. The Region of York is farthest from the Lake Ontario waterfront and statistics indicate that its residents make relatively small use of Conservation Areas in comparison to the other two Regions and Metro on a per capita basis. Provided the recommended change is phased in over a

period of 5 years it should not be a great burden on any Region. It should be noted, however, that as conservation lands are developed, and assuming present population growth trends, the Regions may face future increases in charges for operations costs, based on use.

Recommendations:

20. The Province be requested to increase its funding of core programs from the present 55% support to 60%. Core programs are defined as -

    - Flood Control
    - Erosion and Sediment Control
    - Storm Water Management
    - Land Acquisition
    - Conservation Land Management
    - Shoreline Management

21. The Authority not include for consideration of the Authority Board any development or other work in its core programs without, in the first instance, receiving the firm comments from the Regional or Metropolitan governments in whose geographical area the proposed work is to be undertaken.

22. All future watershed recreation programs on Conservation lands in the first instance receive the approval of the Regional govern-

ment affected before being placed in the Authority plans. Provincial approval be deemed to be satisfied where programs meet present guidelines for permitted use as established by the Minister of Natural Resources.

23. The Authority negotiate with the Metropolitan and Regional governments to achieve a funding formula for watershed recreation development based on:

- Province continuing to contribute as in the past.

- The benefitting municipal governments share the development costs of each project on a discounted equalized assessment basis.

24. The Authority negotiate with the Metropolitan and Regional governments a funding formula for maintenance and operations of watershed recreation programs based on:

- Province continuing to pay its traditional share.

- Contribution towards assigned costs of facilities and sites by Metropolitan Toronto and the Region, within which the facilities and sites are located, be on the basis of per capita use by their respective residents; and the balance of costs be funded through the MTRCA municipal levy.

25. Agreements on an inter-municipal basis with respect to 24 above be negotiated between the Authority, the Regions and Metropolitan Toronto under a 5 year phase-in principle, which ensures the per capita contribution is reached by no later than 5 years.

26. The Authority contract with the Province, Metro and Durham for waterfront development to be funded on the basis of:

- Province maintain at least its existing level of contribution in dollar terms.

- The Metropolitan government increase its contribution to waterfront projects in Metropolitan Toronto in accordance with the need of the Metropolitan Council, at no less than a 60% funding level.

- Waterfront projects development in the Durham Region be funded for the municipal share on the basis of an inter-municipal agreement to be negotiated between Durham and Metro.

- The Regions of Peel and York not contribute to MTRCA waterfront development.

27. Each Regional government individually fund the municipal share of Heritage projects located in their regions.

28. Metropolitan Toronto fund the entire municipal share of Black Creek Pioneer Village. In this regard, Metro works with the Authority to seek additional funding from Ministries of the Provincial Government other than the Ministry of Natural Resources and in addition, seeks funding from the Government of Canada.

29. In matters of education, the Authority continue to make its assets available for the use of school boards, provided the boards continue to fund these programs.

30. The Authority develop a 3 year program for submission with its 1985 budget covering all aspects of education, marketing and community relations.

5. IMPLEMENTATION OF CHANGES TO AUTHORITY STRUCTURE

A. Changing Authority Membership

Considerable research was conducted into how the changes proposed in this report might be implemented.

The membership of the Authority is determined according to Sections 4, 5 & 14 of the Conservation Authorities Act. Section 14 states that members of an Authority shall be appointed by the respective Councils of the participating municipalities in the numbers prescribed in sub-section 2(2). However, Section 4 stipulates that, where a Regional municipality has been established, the Region shall act in place of local municipalities for the purpose of appointing representatives, but shall appoint to each Authority that number of members to which the local municipalities would otherwise have been entitled had they been participating municipalities. The formula in Section 2(2) establishes membership according to population of local municipalities.

Section 5 of the Act pertains solely to the Metropolitan Toronto & Region Conservation Authority and provides that the Lieutenant Governor in Council may designate municipalities that are the participating municipalities of the Metropolitan Toronto & Regional Conservation Authority. The section also stipulates that the numbers of members appointed to the Authority by Metropolitan Toronto shall equal the total number of members appointed by the other

municipalities. The present regulation designates the area municipalities of the three Regions as participating municipalities for the purposes of determining membership on the Authority.

In summary, no change in the membership of the Authority is possible without Provincial action.

Based on legal opinions which we have obtained it appears the Province can follow one of two courses:

- Effect the necessary change to Authority membership through an Order in Council;
- Revise that section of the Conservation Authority Act which deals specifically with the MTRCA.

B. Committee Structure Changes

All of the other changes, in the main, are within the jurisdiction of the Authority to originate.

The changes to the committee structure of the Authority can be carried out by amending the by-laws of the Authority; to reserve decision-making powers to the Authority; to designate the Executive Committee and Standing Committees structure and to define their relationships to the Authority. However, final Provincial action is necessary, for such

by-law changes require the approval of the Minister in accordance with Section 30 of the Act.

Recommendation:

31. **As a matter of priority, the Ministry of Natural Resources be requested to take such action as is necessary to give effect to the proposed changes in the Authority membership, and to expedite such approvals as may be required to ensure the committee structure of the Board and other items can be implemented as soon as possible.**